



Montana Office of Public Instruction
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www.opi.mt.gov/IndianEd

Model Lesson Plan

Social Studies High School

Topic 9 - Montana State Constitution and Indian Education for All

Stage 1 Desired Results

Established Goals:

Students will understand the constitutional and legal basis for including American Indian content into Montana school curriculum as prescribed by MCA 20-1-501 (Indian Education for All).

Students will analyze the impact of the Constitution, laws and court decisions on the rights and responsibilities of citizens (SS2:B5b).

Understandings:

The Montana State Constitution (Article X), state law and court decisions have helped shape the direction of Indian Education efforts.

All students should have an understanding and awareness of the reasons as to why they are studying historical and contemporary American Indian issues.

Essential Questions:

Why did the delegates at the 1972 Montana Constitutional Convention put Indian Education into the state constitution?

What does the Indian Education for All law address?

Students will be able to...

Describe the rationale for including American Indian Education in the Montana Constitution.

Summarize major laws and court cases that deal with Indian Education.

Students will know...

Some of the reasons for including American Indian Education in our state constitution and why it applies to all schools across Montana.

Stage 2 Assessment Evidence

Performance Tasks:

Students will read aloud excerpts from the 1972 Montana Constitutional Convention along with other primary source documents and discuss the rationale for including American Indian Education in the Montana Constitution. Students will write up a brief reaction paper to ideas put forth in the lesson.



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Stage 3 Learning Plan

Learning Activities:

Ask students the following question: Why is it important to study about American Indians?
Have students brainstorm a list of reasons and briefly discuss.

Tell students you are going to have them analyze some primary source documents from the 1972 Montana State Constitutional Convention, Montana state law and an excerpt from supreme court case. Prior to the lesson make individual copies of each of the quotes for students to have in hand (number of copies will depend upon class size).

Have students work in small groups of two or three. Distribute quotes and have them discuss in their small group what the main point is and also ask them to share their reaction to the reference. Ask each group to think about the following question as they analyze their quotes: What does this mean in terms of what we are studying about American Indians?

After students have had a chance to read and discuss the quote have them read it to the class and share their observations and insights. Allow time for class input after each quote is read.

After all groups have reported out pose the same question from the beginning of class and see if anyone has something more to add to the initial discussion.

Ask students to write up a brief reaction paper (couple of paragraphs / one page) to what was covered during the lesson.

Materials/Resources Needed:

Teacher background note: It is highly recommended you read the following article by Dr. Bobby Ann Starnes regarding an overview of Indian Education for All prior to teaching this lesson.

Starnes, Bobby Ann. Montana's Indian Education for All: Toward an Education Worthy of American Ideals." *Phi Delta Kappa International*. Vol. 88, No. 03 (November 2006): 184-192.
http://www.pdkintl.org/kappan/k_v88/k0611sta.htm

Please visit the Indian Education website at OPI for an overview of Indian Education resources and other background information <http://www.opi.mt.gov/IndianEd/Index.html>

Indian Education References and Quotes:

Montana Constitution – Article X <http://www.montanahistory.net/state/constitution1972X.htm>

Section 1. Educational goals and duties.

- (1) It is the goal of the people to establish a system of education which will develop the full educational potential of each person. Equality of educational opportunity is guaranteed to each person of the state.
- (2) The state recognizes the distinct and unique cultural heritage of American Indians and is committed in its educational goals to the preservation of their cultural integrity.

Montana Code Annotated Sec. 20-1-501 – passed in 1999 (Indian Education for All)
<http://www.montana.edu/wwwbor/MCA20-1-501.pdf>

It is the intent of the legislature that in accordance with Article X, Section 1 (2), of the Montana Constitution:

- (a) Every Montanan, whether Indian or non- Indian, be encouraged to learn about the distinct and unique heritage of American Indians in a culturally responsive manner
- (b) every educational agency and all educational personnel will work cooperatively with Montana tribes or those tribes that are in close proximity, when providing instruction or when implementing an educational goal or adopting a rule related to the education of each Montana citizen, to include information specific to the cultural heritage and contemporary contributions of American Indians, with particular emphasis on Montana Indian tribal groups and governments.
- (3) It is also the intent of this part, predicated on the belief that all school personnel should have an understanding and awareness of Indian tribes to help them relate effectively with Indian students and parents, that educational personnel provide means by which school personnel will gain an understanding of and appreciate for the American Indian people.

Columbia Falls School Dist. v. State (2004) – School Funding Lawsuit
<http://www.narf.org/nill/bulletins/dct/unreported/columbia.html>

The State's funding scheme for education is unconstitutional.

The State is "defenseless" on providing any evidence that it had implemented Indian Education for All.

The State had shown "no commitment" in implementing Article X, Section 1(2).

The Legislature must define "quality education" then fund it.

Montana Code Annotated Sec. 20-9-309 <http://data.opi.state.mt.us/bills/mca/20/9/20-9-309.htm>

A "basic system of free quality public elementary and secondary schools" means:

- (c) educational programs to implement the provisions of Article X, section 1(2), of the Montana constitution and Title 20, chapter 1, part 5, through development of curricula designed to integrate the distinct and unique cultural heritage of American Indians into the curricula, with particular emphasis on Montana

Indians.

Quotes from the 1972 Montana Constitutional Convention

http://courts.mt.gov/library/mt_cons_convention/index.pdf

Mr. Chairman and delegates. During one of our very early hearings. . .there appeared before us two young Indian students representing student groups of the Fort Peck Reservation. They came asking what. . . the Convention could do, to assure them that they would have the opportunity. . . to study their own culture, perhaps their own language, and to develop a real feeling of pride in themselves for their own heritage and culture, and also a hope that other students all over Montana would recognize the importance and the real dignity of American Indians in the life of Montana.

Delegate Eck, introducing her amendment of the Indian Education clause. Const. Trans. 1950

Through the years, we have given the Indians a great many things that didn't prove to be too good for the Indians. We gave them treaties which we later broke. We gave them discrimination, in the guise of such great statements as "the only good Indian is a dead Indian." We gave them social diseases. We gave them smallpox-infected blankets so we could reduce their surplus population. We gave them alcohol. We gave them a religion which we didn't live up to ourselves and we gave them massacres. . .Now the Indians have appeared before our committees at this Convention and they have asked for. . .this inclusion in our Constitution. . . They were here first; they owned it; and we took it all from them. And I think this is the least we can do.

Delegate Blaylock, urging passage of Indian education clause. Const. Trans. 1954

Every other ethnic group in this country has a country of origin to relate to in their pride of heritage, and we have learned in our schools about their countries. All of us have taken Greek history, Roman history, English history, French history, and so forth. Why not Indian history?. . . Why not a Chief Charlo day, Chief Joseph, Chief Hungry Horse, and so forth? What is the country of origin for American Indians? It is America. What have the average American learned in our schools about our American Indian people? Very little, if not nothing.

Delegate Champoux, discussing the Indian Education amendment. Const. Trans. 1952.

The first day I came to this assembly, I looked around and wondered - why there were no Indians here as delegates. Later, as I left the door, I saw four Indian students - young college students from the University of Montana - standing out there against the wall. And I thought to myself, how ironic. Here they are, typically, standing outside the door while the white man makes all the decisions for them inside. Isn't it also ironic to see here today a Frenchman from Boston, without any Indian blood, standing at the Montana Constitutional Convention pleading for the Indians, to preserve their cultural integrity?

Delegate Champoux, discussing the Indian Education amendment. Const. Trans. 1951-52.

If there is ever to be a solution to the Indian problem in this country, it will only come about when our educational system provides the knowledge which is needed to understand and respect the cultural differences between us and the state helps to preserve and protect their cultural integrity. This is a matter of pride. All of us are proud of our heritage. . . because we know about our history, our culture and our integrity - our heritage. Are we now to continue to deny this to these, the first citizens of the State of Montana? Ladies and gentlemen, the Montana Indians are still waiting outside the door. Are you going to answer them?

Delegate Champoux, discussing the Indian Education amendment. Const. Trans. 1951-52.